

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

FAST MEMORY ERASE, LLC)
vs.) Misc. Civil Case No. 3:09-mc-80049 (SI)
Plaintiff,)
SPANSION, INC., SPANSION LLC,)
INTEL CORPORATION,) Court of Original Jurisdiction
NUMONYX B.V.,) US Dist. Ct.
NUMONYX, INC.,) N. D. Tex., Dallas Div.
STMICROELECTRONICS NV,) CIVIL CASE NO. 3-08cv0977M
STMICROELECTRONICS, INC.,)
NOKIA CORPORATION,)
NOKIA INC.,)
SONY ERICSSON MOBILE)
COMMUNICATIONS AB,)
SONY ERICSSON MOBILE)
COMMUNICATIONS (USA), INC.)
MOTOROLA, INC., and)
APPLE, INC.)
Defendants.)

**STIPULATION AND [PROPOSED] ORDER RE-SETTING TIME AND PLACE FOR
THE DEPOSITION OF PERUMAL RATNAM**

WHEREAS, on February 12, 2009, Defendants Intel Corporation, Numonyx B.V. and Numonyx Inc. duly served a subpoena on Third Party Perumal Ratnam, the sole inventor of the two patents at issue in the above captioned matter, to appear for deposition on February 25, 2009 in Menlo Park, California.

WHEREAS, on March 16, 2009, Third Party Perumal Ratnam moved to modify the subpoena to reschedule the date of Mr. Ratnam's deposition.

WHEREAS, on April 24, 2009, Defendants Intel Corporation, Numonyx B.V. and Numonyx Inc. (“Defendants”), and Third Party Perumal Ratnam jointly filed a Stipulation and [Proposed] Order Setting Time and Place for Deposition of Perumal Ratnam, setting the deposition of Mr. Ratnam to be held on June 23-24, 2009 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202.

WHEREAS, on June 22, 2009, this Court entered the joint stipulation as an order (“Order”) requiring Mr. Ratnam to appear for deposition on June 23-34, 2009 as set forth above, whereupon the pending motion to modify Defendants’ subpoena was put off calendar.

WHEREAS, Third Party Perumal Ratnam has informed Defendants that he is not capable of appearing for his deposition on June 23-24, 2009 as required by the Court’s Order due to personal reasons and has agreed to appear for deposition on July 23-24, 2009 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202

IT IS HEREBY STIPULATED by Perumal Ratnam, Intel Corporation, Numonyx B.V., and Numonyx, Inc. that the third-party deposition subpoena served upon Perumal Ratnam in the above-captioned action shall be modified to provide that Perumal Ratnam will appear for his deposition on July 23 and 24, 2009, at the offices of Shore Chan Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75206, and that Perumal Ratnam agrees to appear for his deposition at such date and place.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date

Hon. Susan Illston
United States District Court Judge



Dated: June 23, 2009

Respectfully submitted,

By: /s/ Donald E. Daybell

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By: /s/ Patrick J. Conroy

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(to apply to appear Pro Hac Vice)

Attorneys for Plaintiffs FAST MEMORY ERASE,
LLC and Third Party Perumal Ratnam

Attestation

I hereby attest that I have been authorized to affix the electronic signatures of Charles M. Kagay and Patrick J. Conroy, by Mr. Conroy, who is counsel for plaintiff FME and third party Perumal Ratnam.

Certificate of Service

The above-titled document will be served on all parties who have been deemed to have consented to service via the Northern District of California's ECF system, by that system. All other parties will be served via e-mail, pursuant to agreement of the parties.